

REMARKS

Applicant has carefully studied the outstanding Official Action. The present response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

Application as examined included claims 1-29, which were examined, and claims 30-35, which were withdrawn. Claims 1, 3, 9-10, 16, 18 and 24 have been amended. Withdrawn claims 30-35 have been cancelled without prejudice. Claims 2, 4-8, 11-15, 17, 19-23 and 25-29 are unchanged.

The title of the invention is objected to because it is not descriptive. Applicant has amended the title to overcome this objection.

Claims 3, 9, 12-13, 18, 24 and 26-27 are objected to because of informalities. Applicant has amended claims 3, 9, 18 and 24 as suggested by the Examiner to overcome the objections. Applicant respectfully submits that the use of a media player and a shared library as recited in claims 12-13 and 26-27 is well known in the art and therefore no elements are missing from the claims as suggested by the Examiner.

Applicant has also amended claim 10 to more clearly define the present invention.

Claims 1-29 stand rejected under 35 USC 102(e) as being anticipated by Fuller et al (US 6,216,112).

Fuller describes a method and system for offering and distributing software wherein advertisements are incorporated into the software product.

Applicants express their appreciation to Examiner Jean D. Janvier for the courtesy of a telephone interview which was granted to applicant's representative, Sanford T. Colb (Reg. No. 26,856) on January 17, 2006. The substance of the interview is set forth in the Interview Summary.

In the interview, claim 1 was discussed vis-à-vis the prior art of Fuller. The Interview Summary Record states, in relevant part, "the Examiner comes to agree with the applicant that Fuller, in US Patent 6,216,112 does not anticipate or teach the

new claim limitation, 'said electronic content being provided separately from said at least one electronic advertisement,' featured in the proposed amendment of claim 1."

Applicant has accordingly amended independent claims 1 and 16 as discussed at the interview to include the recitation "said electronic content being provided separately from said at least one electronic advertisement." Support for the amendment to the claims is found in paragraphs 27 and 28 of the specification as published. The advantage of the method of the present invention over the prior art methods is discussed in paragraph 24 of the specification as published.

As discussed in the interview, none of the prior art, either alone or in combination, show or suggest a method for providing electronic content to a user, where the electronic content has associated therewith a user right, the user right being either a restricted right or an unrestricted right to be provided the electronic content, determining if the user right is a restricted right or an unrestricted right, and if the user right is a restricted right, obtaining at least one electronic advertisement, the electronic content being provided separately from the at least one electronic advertisement, and presenting the at least one electronic advertisement to the user and providing the electronic content to the user, and if the user right is an unrestricted right, providing the electronic content to the user, as recited in amended claims 1 and 16.

With reference to the above discussion, independent claims 1 and 16 are deemed patentable over the prior art of record and favorable reconsideration is respectfully requested. Claims 2-15 depend directly or ultimately from claim 1 and recite additional patentable subject matter and therefore are deemed patentable. Claims 17-29 depend directly or ultimately from claim 16 and recite additional patentable subject matter and therefore are deemed patentable.

Applicant has carefully studied the remaining prior art of record herein and concludes that the invention as described and claimed in the present application is neither shown in nor suggested by the cited art.

In view of the foregoing remarks, all of the claims are believed to be in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

Respectfully submitted,

BUCHANAN INGERSOLL PC

Date: January 31, 2006

By:  50,184

Kirk M. Nuzum

Registration No. 38,983

P.O. Box 1404
Alexandria, Virginia 22313-1404
(650) 622-2300